



FPW

PATENT
ATTORNEY DOCKET NO.: 46884-5319

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Fumitsugu FUKUYO et al.)	Confirmation No.: 2791
)	
Application No.: 10/507,340)	Group Art Unit: 2818
)	
Filed: June 17, 2005)	Examiner: Dung Anh Le
)	
For: METHOD OF CUTTING OBJECT)	
TO BE PROCESSED)	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

RESPONSE TO ELECTION OF SPECIES
REQUIREMENT TRANSMITTAL FORM

1. Transmitted herewith is a Response to the Election of Species Requirement dated March 14, 2008.
2. Additional papers enclosed:

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Drawings: _____ sheets with _____ figures |
| <input type="checkbox"/> | Information Disclosure Statement |
| <input type="checkbox"/> | Form PTO-1449 |
| <input type="checkbox"/> | Citations |
| <input type="checkbox"/> | Declaration of Biological Deposit |
| <input type="checkbox"/> | Submission of "Sequence Listing", computer readable copy and/or amendment
pertaining thereto for biotechnology invention containing nucleotide and/or amino
acid sequence. |

08/12/2008 CCHAU1 00000016 10507340

01 FC:1254

1640.00 0P

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 460.00	\$ 230.00
<input type="checkbox"/> three months	\$ 1,050.00	\$ 525.00
<input checked="" type="checkbox"/> four months	\$ 1,640.00	\$ 820.00

Extension of time fee due with this request: \$ 1,640.00

If an additional extension of time is required, please consider this a Petition therefor.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

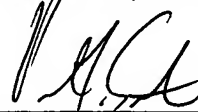
5. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS CURRENTLY PENDING						
	Claims Currently Pending		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	20	minus	20	0	x \$50 each =	+ \$0.00
Independent Claims (37 C.F.R. § 1.16(b))	13	minus	13	0	x \$210 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$370.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Enclosed is a check in the amount of \$ 1,640.00 for the 4-month extension of time fee.
- ☐ The Commissioner is hereby authorized to charge _____ to Deposit Account No. 50-0573 for the _____ fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP


By: _____

Peter J. Sistare

Registration No. 48,183

Dated: August 11, 2008

Customer No. 055694**DRINKER, BIDDLE & REATH LLP**

1500 K Street, N.W. Suite 1100

Washington, D.C. 20005-1209

Tel: (202) 842-8800

Fax: (202) 842-8465